Kansas Department of Agriculture Division of Water Resources CHANGE: P/U WORKSHEET

Document Signature <u>LF</u>	<u>'L</u>
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1. File Number: 48,504	2. Status Change Date: 7 19 2016	3. Change Num:	4. Field Office:	5. GMD
6. Status: ⊠ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 12/31/14
8a. Applicant(s) New to system □	Person ID 62511 Add Seq#	8c. Landown New to sy		Person IDAdd Seq#
JAMES E LITTON 2878 US HWY 24 BELOIT KS 67420				
	· .			· · · · · · · · · · · · · · · · ·
8b. Landowner(s) New to system □	Person ID 57256 Add Seq#	8d. WUC New to sy	vstem □	Person ID 63707 Add Seq#
MARK CHAPMAN ESTAT PO BOX 1622 SEALY TX 77474	ΓE	571 N 3	R LITTON 30TH RD CO KS 67445	s.
	- ·			
9. Documents and Enclosure(s): 🗵 DV	VR Meter(s) Date to Comp	y: 12/31/16	N & P Date to	o Comply:
☐ Anti-Reverse Meter ☐ Meter	Seal 🛛 Check Valve	□ N & P Form	☐ Water Tube ☐ I	Driller Copy
☐ Conservation Plan Date Requir	ed: Da	te Approved:	Date t	o Comply:
10. Use Made of Water From:		To: _		
		·	Date Prepared: 5/4/2	· • •
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16. Place	e of Use						NE	1/4			NW	V1/4			sv	N1/4			s	E1/4		Total	Owner	Chg?	Overlap Files	
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Comment	ts:																									

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

MEMORANDUM

TO: Files

DATE: J

June 26, 2016

FROM:

Austin McColloch

RE: Appropriation of Water, File No. 48,175

Appropriation of Water, File No. 48,504

New Application, File No. 49,246

Taner Litton has filed the referenced new application (File No. 49,246) to appropriate 91 acre-feet of groundwater at a diversion rate of 1,200 gallons per minute for irrigation on 70 acres as well as use on an existing place of use authorized under Water Appropriation, File Nos. 48,175 & 48,504. The well is located in the Northeast Quarter of Section 18, township 10 South, Range 3 West, Ottawa County, and the source of supply is the unconfined Dakota aquifer system located in the drainage basin of the Solomon River. At the current time, the proposed 70 acres additional place of use is not overlapped with Water Appropriation, File Nos. 48,175 & 48,504. However, change applications for the referenced files has been filed to create an overlap in place of use with all three files. The new application and both change applications will be processed as a package.

The new application was worked by Doug Schemm, Environmental Scientist, Topeka Field Office, and in a March 30, 2016 email with Kelly Stewart, Water Commissioner, Stockton Field Office, a recommendation for approval was received.

The change in place of use for File Nos. 48,175 & 48,504 will increase the irrigated acres by 70 acres bringing the total up to 307.13. This is 1.13 acres more than requested on the application due to a correction of acres connected with File Nos. 48,175 & 48,504 having Lots associated with the place of use. These Lots have already been legally irrigated from the start of approval of appropriation of File No. 48,504, thus not requiring the applicant to resubmit an application for the new appropriation and change files as this is a correction not an increase in requested acres. The proposed change in place of use complies with K.A.R. 5-5-3 due to the new application, thus meeting K.A.R. 5-5-11(b)(6).

Per the definition in K.A.R. 5-1-1(iiii) the "Unconfined Dakota aquifer system" means that a portion of the Dakota aquifer system not overlain by a confining layer in which the aquifer is in equilibrium with atmospheric pressure. A well log submitted with both Water Appropriation, File No. 48,175, and new application, File No. 49,246, and others nearby indicate that sand or a sandstone layer was encountered at a relatively shallow depth of approximately 23 feet below ground surface, and it appears to be fairly continuous in this local area. This shallow layer contains some alluvial deposits in this local area as well. The primary aquifer (sandstone) extends from 68 feet to 154 feet below ground surface. It is important to note that static water levels in these area wells are typically at the same depth as this shallow sand or sandstone layer. In addition, a well log from the Southeast Quarter of Section 18 indicates water was encountered at 25 feet below ground to top of screen. Since the shallow aquifer layer is

producing water, it is likely that if it were also included in the screened interval, the entire aquifer would be more in equilibrium with atmospheric pressure. Therefore, because of the shallow depth to water first encountered, and static water for this appropriation is more representative of the unconfined Dakota aquifer system.

Per K.A.R. 5-3-11, an evaluation of safe yield includes the entire 2 mile area of consideration around the point of diversion. With a recharge of 2.6 inches, and 75% of recharge available for appropriation, this results in a safe yield of 1,326.93 acre-feet. There are six other water rights within this area of consideration that have appropriated 908.8 acre-feet, leaving 418.13 acre feet available, therefore these applications meet safe yield requirement.

The applicant identified one domestic well within one half-mile from the proposed point of diversion, and is located over 2,000 feet away. A nearby notification letter was sent to the domestic well owner, Craig McHenry, on March 18, 2016. No response was received. The WRIS database shows the nearest permitted water right is over 3,000 feet away. The proposed point of diversion for the new application meets minimum well spacing requirements for the unconfined Dakota aquifer system, located over one-half mile to the nearest permitted well, and over 1,320 feet to the nearest domestic well.

In a June 27, 2016 e-mail, Kelly Stewart, Water Commissioner, Stockton Field Office, recommended approval of the application.

Based on the above discussion, the area is open to new appropriations, the applicant meets safe yield and well spacing criteria, and the approval of the applications will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved in conjunction with the change applications in place of use. The change is reasonable, impairment of existing water rights is unlikely, and the additional acres is covered by the new application, resulting in no increase in consumptive use, it is recommended that the referenced change applications be approved.

Austin McColloch
Environmental Scientist



1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700 900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 21, 2016

JAMES E LITTON 2878 US HWY 24 BELOIT KS 67420 FILE COPY

RE: Appropriation of Water, File Nos. 48,175 & 48,504

Dear Mr. Litton:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the referenced files. These orders modify the authorized place of use to allow for the new irrigation of the Northeast Quarter of Section 18, Township 10 South, Range 3 West, Ottawa County, Kansas.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized. Please return the required notification of installation of the meter as soon as this action is completed.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

The water use correspondent remains as:

TANER LITTON 571 N 30TH RD GLASCO KS 67445 If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.

Change Applications Unit Supervisor

Division of Water Resources

BAT:am Enclosures

pc:

Stockton Field Office

Taner Litton Mark Chapman Estate

KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE APPROPRIATION OF WATER, FILE NO. 48,504

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of James E. Litton, 2878 US 24 Hwy, Beloit, Kansas 67420, on behalf of Mark Chapman Estate, PO Box 1622, Sealy, Texas 77474, received in the office of the Chief Engineer on December 27, 2014, for approval of a change in the location of the place of use, under Approval of Application, File No. 48,504, for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

500	Sec. Twp. Range				NW¼			SW¼			SE1/4								
Sec.	iwp. rx	ange	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	TOTAL
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a total of 307.13 acres, in Township 18 South, Range 3 West, Ottawa County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water appropriation, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall maintain the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Approval of Application, File No. 48,504, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated April 22, 2014.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Reguest for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timelyfiled request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 19th day of July

, 2016, at Topeka, Shawnee County, Kansas.

Lane P. Letourneau. L.G. Program Manager Division of Water Resources -Kansas Department of Agriculture

State of Kansas

SS

County of Riley

The foregoing instrument was acknowledged before me this 19th day of 2016. by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

> AMBER L. HERRING My Appointment Expires December 15, 2018

CERTIFICATE OF SERVICE

On this \mathcal{J} day \mathcal{J} , 2016, I hereby certify that the attached App	oroval of	Applica	ation for
Change in Place of Use, File No. 48,504 dated, July 19, 2016		was	mailed
postage prepaid, first class, US mail to the following:			

JAMES E LITTON 2878 US HWY 24 BELOIT KS 67420

With photocopies sent to:

TANER LITTON 571 N 30TH RD GLASCO KS 67445

MARK CHAPMAN ESTATE PO BOX 1622 SEALY TX 77474

Stockton Field Office

Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
www.ksda.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1.		WATER RESOURCES RECEIVED
	 ✓ Place of Use (Check one or more) ✓ Point of Diversion 	
	Use Made of Water	DEC 3 1 2014
	Se Made of Water	l み:5リ KS DEPT OF AGRICULTURE
	File No. <u>48,504</u>	
2.	Name of applicant: James E. Linon	
	Address: 2878 US 24 Hwy	
	City, State and Zip: Record, VS 47420	
	What is your relationship to the water right; owner tenant agent oth	er? If other, please explain.
	Name of water use correspondent:	
	Address: 571 N 30TH Ro	
	City, State and Zip:	
	Phone Number: (785) 738 - 7952 E-mail address: Piketro	il cattle Contlook com
3.	and the state of the state with many and the first and #40.475	e specific): To install another pivot and
	The change(s) (was) (will be) completed by <u>upon approval.</u> (Date)	
E-	For Office Use Only:	
F.	F.O. <u>3</u> GMD <u> </u>	nty <u>OT</u> By <u>BAF</u> Date <u>/-5-/5</u> e <u>12-31-14</u> Check # <u>873</u>
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APPLICATION COMPLETE
6/27/16

1/3/2015 UM

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List any other water rights that cover this place of use. _ WATER RESOURCES

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

of the wastached and origional survey plate

			File	e No. <u>48,504</u>
6	The presently authorized point(s) of diversion (is) (are) on	e well		
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7.	The proposed point(s) of diversion (is) (are) no change			,
		•	(Provide description and number	r of points)
	List all presently authorized point(s) of diversion:			
8.	Presently authorized point of diversion:			
	One in the Quarter of the			
	of Section, Township	10	South, Range	W,
	in Ottawa County, Kansas, 515	feet North _	4115 feet West of So	outheast comer of section.
	Authorized Rate 1200 gpm Authorized Quantity	147 AF		
	(DWR use only: Computer ID No GPS	S	feet North	feet West)
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	in County, Kansas,			•
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	This point is: Additional Well Geo Center List of			
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10.	Presently authorized point of diversion:			
	One in the Quarter of the		Quarter of the	Quarter
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	in County, Kansas,			
	Authorized Rate Authorized Quantity _			
	(DWR use only: Computer ID No GPS	S	feet North	feet West)
	☐ This point will not be changed ☐ This point will	be changed	as follows:	
	Proposed point of diversion: (Complete only if change	e is requeste	ed)	
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	Proposed Rate Proposed Quantity			and the second of the second o
	This point is: Additional Well Geo Center List of			
11	Describe the current condition of and future plans for any	noint(s) of di	version which will no longe	r ne lised N/A

WATER RESOURCES
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY CEIVED

2.	The	• pre	sently authorized use of water is for <u>irrigation</u> purposes.
	It is	pro	posed that the use be changed to <u>no change</u> purposes.
3.			ing the place of use and/or use made of water, describe how the consumptive use will not be increased. pplication is being filed concurrently.
	(Plea	ase s	how any calculations here.)
14.	It is	req	uested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).
5.	It is	req	uested that the maximum rate of diversion of water be reduced to N/A gallons per minute (c.f.s.).
6.	1:24 Kan Dist	1,00 Isas Ianc uld a	olication must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale D, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. es North and West of the Southeast comer of the section must be shown. The presently authorized place of use also be shown. Identify the center of the section, the section lines and the section comers and show the appropriate township, and range numbers on the map. In addition the following information must also be shown on the map.
	a.	lf a	change in the location of the point(s) of diversion is proposed, show:
		1)	The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
		2)	If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within $\frac{1}{2}$ mile, please indicate so on the map.
		3)	If the source of supply is surface water, the names and mailing addresses of all landowner(s) $\frac{1}{2}$ mile downstream and $\frac{1}{2}$ mile upstream from your property lines must be shown.
	b.		change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be ain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
1 7 .	loca well	al so log	documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same urce of supply as to which the water right relates. This information may include statements, plats, geology reports, s, test hole logs, and other information as necessary information to show the above. Additional comments may be elow.
8.	ider requ	ntify uest	oposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the should be granted. Attach documentation showing that granting the request will not impair existing water rights and prejudicially and unreasonably affect the public interest.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

File No. <u>48,504</u>

DEC 3 1 2014

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water appropriation act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a line not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married: Please Indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executor, conservator), it will be necessary to attach proper documents showing such authority.

A CONTRACTOR OF THE PROPERTY O			
I declare that I am an owner of the currently authorize authorized to make this application on their behalf, a	nd declare turther that the	i Statementa contamico nerem arc	z uuc, cumeet, ane
complete. By filing this application I authorize the chie as specified in sections 14 and 15 of this application. Dated at Sealy	Texas S	day of April	20 <u> b</u>
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Cherye L. Melesnothin	<u></u>	(Spouse)	
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State of Kansas County of AUSTIN SS		And the second s	χth
April certify that the foregoing application was	signed in my presence a	and sworn to before me this \perp	day of
· · · · · · · · · · · · · · · · · · ·	SUADI	ALLA KUCHAK	
My Commission Expires 4 7 4 7 4 1	CARLA REICHARD	TO A TOTAL NEW MARKET STATE OF THE STATE OF	
	My Commission English 2 2019		
Each application to change the place of use, the point of drapplication fee set forth in the schedule below:	version or the use made of th	e water under this section shall be a	iccompanied by the
(1) Application to change a point of diversion 300	feet or less e than 300 feet		7: \$100 \$200 \$200
(3) Application to change the place of use (3) Application to change the use made of the way	ler,		\$300
Make check payable to Kansas Department of Agricultur		WATER RESOURCES	

MAY 0 2 2016

File No. 48.50	04
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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized p authorized to make this application on their behalf, and complete. By filing this application I authorize the chief e as specified in sections 14 and 15 of this application.	declare furthe	er that the statemen	ts contained herein are	true, correct, and
Dated at Belout	, Kansas, this	24th day of	December	,20 14.
lama F. Litton POA	·			
VAMES E. L'HON		·.	(Spouse)	
(Please Print)	-		(Please Print)	
(Owner)			(Spouse)	
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(Please Print)			(Please Print)	
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(Owner)		e uh	(Spouse)	
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State of Kansas County of Mitchell ss				
I hereby certify that the foregoing application was sig	ned in my p	resence and sworn	to before me this	24th day of
My Commission Expire 1 NOTARY PUBLIC - State of Kansas My Appl Expires 10 38 17.	-	Kin	Notary Public	
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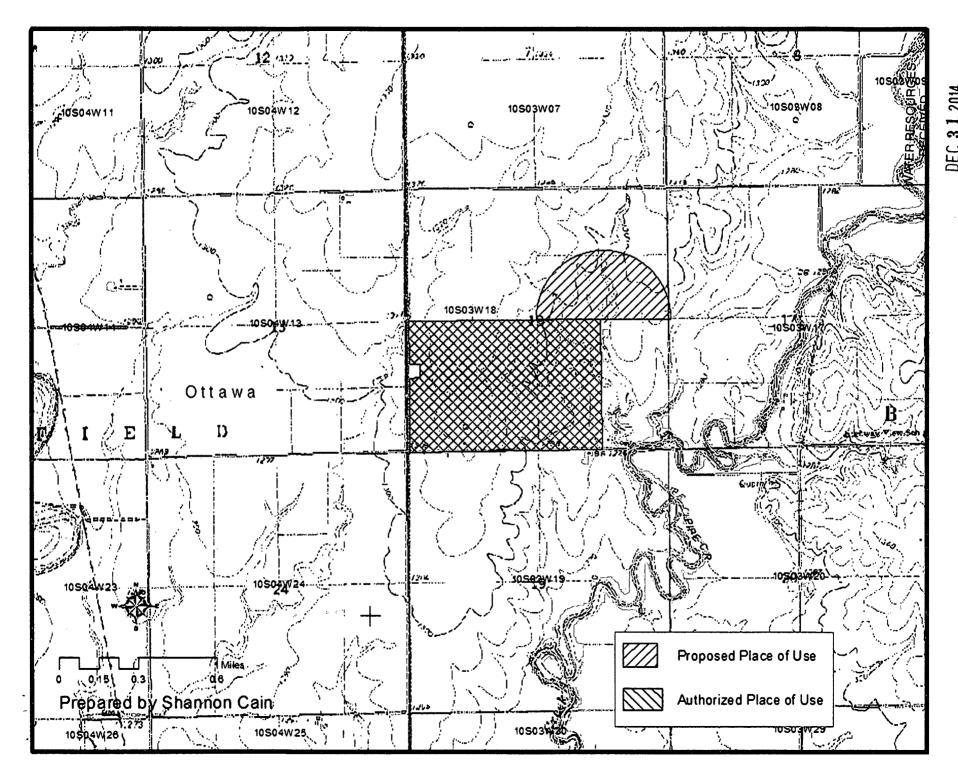
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(1)	Application to change a point of diversion 300 feet or less	\$100
(2)	Application to change a point of diversion more than 300 feet	\$200
(3)	Application to change a point of diversion 300 feet or less	\$200

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES RECEIVED

DEC 3 1 2014



Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
www.ksda.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1.	Application is hereby made for approval of the Chief Engineer to change the Place of Use	WATER RESOURCES RECEIVED
	(Check one or more) Diversion	DEC 3 1 2014
	☐ Use Made of Water	IA: 54 KS DEPT OF AGRICULTURE
	File No. <u>48,504</u>	
2.	Name of applicant:	
	Address: 2878 US 24 Hwy	RECEIVED
	City, State and Zip: Suoit, VS 47420	MΔY 11 7 /UID
	Phone Number: (765) 738 - 85 (Le E-mail address:	
	What is your relationship to the water right; owner tenant agent other? If of	
	Name of water use correspondent:	
	Address: 571 N 20TH Ro	· · · · · · · · · · · · · · · · · · ·
	City, State and Zip:	Land to the state of the state
	Phone Number: (785) 738 - 7952 E-mail address: Piketrailca	Hle Contlook com
3.	The change(s) proposed herein are desired for the following reasons (please be specification and #48,175.	
	The change(s) (was) (will be) completed by upon approval. (Oate)	
For F.O	Office Use Only: O. 3 GMD — Meets K.A.R. 5-5-1 (YES) NO) Use Receipt Date 12-3	

1/3/2015 UM

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r water rights that cover this place of use.

KSDEPT OF AGRICULTURE

WATER RESOURCES

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

MAY 0 2 2018

KS DEPT OF AGRICULTURE

List any other water rights that cover this place of use. _

DEC 3 1 2014

i.										
	The presently auth	norized point(s) of diversion (is)	(are) <u>o</u>	ne well	 _	· · · · · · · · · · · · · · · · · · ·			
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	a	File No. 46,504
12. The	presently authorized use of water is for <u>irrigation</u>	purposes.
	proposed that the use be changed to <u>no change</u>	•
13. If ch	nanging the place of use and/or use made of water, describe how the consu	umptive use will not be increased.
A ne	ew application is being filed concurrently.	
		,
(Plea	ise show any calculations here.)	1
14. It is	requested that the maximum annual quantity of water be reduced to N/A	(acre-feet or million gallons)
5. It is	requested that the maximum rate of diversion of water be reduced to N/A	gallons per minute (c.f.s.)
1:24 Kan Dista shou	application must include either a topographic map or detailed plat. A U.S. 1,000, is available through the Kansas Geological Survey, 1930 Constants as 66047-3726 (www.usgs.gov). The map should show the location of the ances North and West of the Southeast comer of the section must be should also be shown. Identify the center of the section, the section lines and ion, township, and range numbers on the map. In addition the following information.	nt Avenue, University of Kansas, Lawrence the presently authorized point(s) of diversion nown. The presently authorized place of use the section comers and show the appropriate
a.	If a change in the location of the point(s) of diversion is proposed, show:	
	 The location of the proposed point(s) of diversion. Distances North an must be shown. Please be certain that the information shown on th Paragraph Nos. 9, 10 and 11 of the application. 	
	2) If the source of supply is groundwater, please show the location of domestic wells, within ½ mile of the proposed well or wells. Identify mailing address of the property owner or owners. If there are no wells	each well as to its use and furnish name and
:	 If the source of supply is surface water, the names and mailing address and ½ mile upstream from your property lines must be shown. 	esses of all landowner(s) ½ mile downstream
b.	If a change in the place of use is desired, show the proposed place of us certain that the information shown on the map agrees with the information s	se by crosshatching on the map. Please be shown in Paragraph No. 5 of the application.
iocal well	ch documentation to show the change(s) proposed herein will not impair of source of supply as to which the water right relates. This information malogs, test hole logs, and other information as necessary information to show be below.	ay include statements, plats, geology reports,
ident reque	proposed change(s) does not meet all applicable rules and regulations of ify the rules and regulations for which you request a waiver. State the rest should be granted. Attach documentation showing that granting the rec	eason why a waiver is needed and why the
	IF MORE SPACE IS NEEDED, ATTACH ADDITIONATES	NECESSARY

WATER RESOURCES RECEIVED

File N	lo. 48	504		
File iv	IO. 48	,504		

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executor, conservator), it will be necessary to attach proper documents showing such authority.

,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				
I declare that I am an owner of the currently authorized place authorized to make this application on their behalf, and de complete. By filing this application I authorize the chief eng as specified in sections 14 and 15 of this application.	eclare furt	her that the statemen	ts contained herein are	true, correct, and
Dated at Below K	ansas, this	24th day of	December	.20 14.
lamon & Sitter POA				
JAMES & L'HON			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	1.51
(Owner)	_		(Spouse)	
(Please Print)	_ _		(Please Print)	<u> </u>
State of Kansas County of Mitchell ss				; ,
I hereby certify that the foregoing application was signed, 20	d in my p	presence and sworn t	o before me this	24th day of
My Commission Expires NOTARY PUBLIC - State of Kansas KIM HESTING My Apot Expires 10 36 17.		Kim	Notary Public	
E	E SCHEDU	JLE ·		
Each application to change the place of use, the point of diversion application fee set forth in the schedule below:	or the use	made of the water unde	er this section shall be acc	companied by the
 (1) Application to change a point of diversion 300 feet or (2) Application to change a point of diversion more than 3 (3) Application to change the place of use	less 300 feet			\$100 \$200 \$200 \$300
Make check payable to Kansas Department of Agriculture.	W	ATER RESOURCES RECEIVED		
		MAY 0 0 2010	WATER RESOUR	RCES

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MAY 0 2 2016



1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700 900 SW Jackson, Room 456 at of Agriculture Topeka, Kansas 66612 lture.ks.gov (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 11, 2016

JAMES E LITTON 2878 US HWY 24 BELOIT KS 67420

RE: Water Right

File Nos. 48,175 & 48,504



Dear Mr. Litton:

Reference is made to the applications for approval of the Chief Engineer to change the place of use under the referenced file numbers which were received in this office on December 31, 2014. Upon review of the applications, we find that additional information is needed.

It is required by K.A.R. 5-5-5, Signatures required on change application, that the Division of Water Resources, is required to obtain a notarized signature from each landowner, or a duly authorized agent. Records in this office indicate that Wildcat Farms LLC are owners of the proposed place of use and will need to sign as owner of the place of use in Section 18, Township 10 South, Range 3 West. If the property ownership is different, than that as indicated by the updated Part 4 of the application, please provide documentation to that effect and have the landowner and their spouse or duly authorize agent sign. If the land is held in a trust please have the trustee sign as such. All signing must be done with a notary public present.

A copy of the applications and new signature pages are enclosed so that land owners may sign. In order for the applications retain their priority of filing the enclosed signature pages must be returned to this office on or before April 29, 2016. According to law, default in the refiling of the requested information as outlined above within the time allowed or any authorized extension of time, shall cause dismissal of the applications for change under the above referenced file numbers. Should you need additional time please give me a call.

Sincerely,

Change Application Unit Supervisor

BAT:am Enclosures

pc: Stockton Field Office

Taner Litton

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